

Department of Energy

Ohio Field Office Fernald Area Office

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JUN 1 1999



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Mr. James A. Saric, Remedial Project Manager
U.S. Environmental Protection Agency
Region V-SRF-5J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

DOE-0782-99

Mr. Tom Schneider, Project Manager
Ohio Environmental Protection Agency
401 East 5th Street
Dayton, Ohio 45402-2911

Dear Mr. Saric and Mr. Schneider:

NUCLEAR MATERIAL DISPOSITIONING MILESTONE DATE

Reference: Letter, J. Reising to J. Saric, U.S. EPA and T. Schneider, OEPA, "Milestone Schedule Revisions," dated March 25, 1999

In my above referenced letter of March 25, 1999, the Department of Energy (DOE) requested that a revised date of June 1, 1999, be established for submittal of a schedule for disposition of nuclear materials and for reevaluation of the existing milestone for disposition of low-level legacy waste. The previous commitment date for submittal of the nuclear material removal schedule was April 1, 1999. The current commitment date for removal of low-level legacy waste from the Fernald Environmental Management Project (FEMP) is the end of Calendar Year (CY) 2001. Both of your Agencies subsequently approved the schedule revisions request. DOE appreciates your cooperation on this issue. The purpose of this letter is to meet the June 1, 1999, milestone by proposing a schedule for disposition from FEMP of nuclear materials and a revised schedule for disposition of low-level legacy wastes. In addition, this letter addresses other issues raised by both my March 25, 1999, letter to you and your subsequent approval letters.

Relative to the above, FEMP is proposing three milestones. The first is a date of June 1, 2002, for disposition of nuclear material from the site. This represents 3800 metric tons uranium. The second is a date of May 29, 2003, for the disposition of low-level legacy wastes, currently in inventory at the site. This represents 182,181 cubic feet of material. The third milestone is for the treatment (as necessary) and disposition of uranium materials that were formerly considered nuclear materials, but were declared wastes in December 1998. This represents 1,095 metric tons of uranium.

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DOE proposes a date of December 31, 2005, for the disposition of these wastes. The specific path for the uranium waste material requiring treatment is currently being reviewed and evaluated and may need to be readdressed at a future date.

The existing Plant 1 Pad operations will cease at the end of Fiscal Year (FY) 2002. To accommodate the remaining uranium waste material and staging capabilities for the Silos projects, a two-acre concrete pad will be constructed in the vicinity of the Silos. A new structure (Butler Building) will be constructed on this pad to facilitate processing and packaging of the uranium waste material. This pad is an extension of an existing plan for a pad to support the silo and waste pits activities. In addition, the existing shipping and trailer staging area at the Receiving and Incoming Materials Inspection Area (RIMIA) will be relocated to this vicinity to accommodate use of the southern cells of the On-Site Disposal Facility (OSDF).

In my March 25, 1999, letter, DOE presented its justification for requesting the milestone schedule revisions. In summary, responsibility for nuclear materials processing and disposition was transferred from DOE Defense Programs to the Environmental Management (EM) Program without an increase in target funding for the Fernald site to support the new scope. Recently, a path forward for disposition of these materials has been established. Additional time was needed to plan implementation of the nuclear material disposition with incorporation of the significant associated funding requirements for this new scope into the FEMP's baseline. Also in my March 25, 1999, letter, DOE indicated it was evaluating if other milestones, including those for Decontamination and Dismantling (D&D), would be affected by the nuclear materials issue. Upon completion of the detailed implementation planning referenced above with incorporation of results into the baseline, DOE has determined that D&D field implementation schedules are affected.

As you know, the enforceable schedules for D&D field implementation are established within the individual Implementation Plans. These schedules will be based upon and consistent with, approved outyear target funding at the time of submittal. As such, it is not absolutely necessary that any of the current enforceable milestones for Implementation Plans be delayed. It has been our practice, however, to align submittal of Implementation Plans with the field implementation schedule to help ensure currency of the design. Accordingly, DOE proposes the following revisions to the milestones for Implementation Plan submittal:

<u>Complex</u>	<u>Current Milestone</u>	<u>Proposed Milestone</u>
Liquid Storage Complex	January 2, 2003	March 28, 2002
Plant 2 Complex	October 2, 2000	July 2, 2001
General Sump Complex	April 4, 2002	July 1, 2001
Plant 3 Complex	October 2, 2000	July 1, 2001
Electrical Station Complex	April 3, 2003	July 2, 2003
Pilot Plant	January 17, 2000	May 25, 2001

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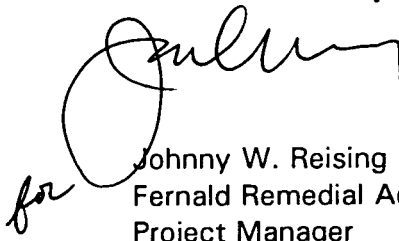
DOE believes that, consistent with Section XVIII of the Amended Consent Agreement, a good cause exists to request these additional milestone revisions discussed in this letter.

Specifically, the new information (i.e., nuclear material disposition path forward identification and planning) that has allowed incorporation of the new and unfunded nuclear material disposition scope into the baseline has also necessitated revision of D&D implementation and low-level legacy waste disposition schedules. It should be noted that consistent with an expectation expressed in the U.S. Environmental Protection Agency (U.S. EPA) March 30, 1999, letter the contract for D&D of Plant 5 has been awarded and a Notice to Proceed was issued on May 17, 1999, well ahead of the milestone of August 2, 1999. These proposed milestones are based on requested funding levels in the Ohio Field Office FY 2001 budget submittal to Department of Headquarters (DOE-HQ).

In addition to the above, DOE is also discussing revisions to existing Site Treatment Plan milestones for mixed waste treatment with the Ohio Environmental Protection Agency (OEPA). DOE will keep your Agencies informed of progress on this issue.

If you have any questions or wish to discuss these issues further, please contact me at (513)648-3139.

Sincerely,

A handwritten signature in black ink, appearing to read "Johnny W. Reising". To the left of the signature, the word "for" is written in a cursive script.

FEMP:Reising

Johnny W. Reising
Fernald Remedial Action
Project Manager

Mr. James A. Saric
Mr. Tom Schneider

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cc:

N. Hallein, EM-42/CLOV
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